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# THE RESIDENTIAL VOUCHER PLACEMENT, PRIVATE SPECIAL EDUCATION, AND ED-P PROGRAM MANUAL

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Superintendent of Public Education

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## Preface

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This guide outlines the placement process for home school districts (HSDs), state placing agencies (SPAs), residential treatment centers (RTCs), and public education agencies (PEAs) in accordance with regulations under federal and state laws.

### ADD Private Day schools and ED-P

Questions, technical assistance, and training requests should be directed to the Arizona Department of Education, Exceptional Student Services–Vouchers unit staff.

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Forms located at: <http://www.azed.gov/special-education/state-initiatives/>

### DISCLAIMER

THIS PROCEDURES MANUAL IS BASED ON THE CURRENT UNDERSTANDING OF P.L.108-446, THE INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT OF 2004 (IDEA '04), A.R.S. §15-765, A.R.S. §15-1181 THROUGH A.R.S. §151185, AND STATE BOARD RULES A.A.C. R7-2-402 AND R7-2-404. THE INFORMATION CONTAINED HEREIN MAY BE SUBJECT TO CHANGE AS A RESULT OF LITIGATION, REGULATION, OR OTHER INTERPRETATION.

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## Definitions

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For purposes of these procedures, the following definitions shall apply:

**CARE SPECIAL EDUCATION (CSE):** Category used for a student eligible for special education who is placed in a residential treatment center (RTC) by a state placing agency (SPA) for care, safety, or treatment. The CSE placement is not driven by the individualized education program (IEP) team.

**CHILD FIND:** Child find is a component of the Individuals with Disabilities Education Act (IDEA '04) that requires PEAs to locate, identify, and evaluate all children with disabilities aged birth through 21 who are located within their geographic boundaries and are in need of early intervention or special education services.

Child find applies to children who are:

- Suspected of having a disability even though they are advancing from grade to grade.
- Highly mobile, such as migrant and homeless children.
- Wards of the state.
- Private school students.
- Home-schooled students.

Note: Charter schools identify, locate, and evaluate all children with disabilities within the population they serve who are in need of special education and related services.

**ED-P:** Category of programs for children with emotional disabilities who are enrolled in private special education programs as prescribed in **A.R.S. §15-765**, subsection D, paragraph 1, **OR** in an intensive school district program as provided in **A.R.S. §15-765**, subsection D, paragraph 2.

**ELIGIBILITY STATEMENT:** A child can only be determined eligible for special education services if the child's disability meets the eligibility criteria in the definition of a child with a disability, the disability impacts learning, and there is a need for specially designed instruction. The team must document the statement of potential eligibility by describing the applicable criteria on the appropriate eligibility form. At a minimum, there must be clear evidence that the team made the determination after careful consideration of all information obtained and that the child meets the appropriate eligibility criteria.

**EXIT CRITERIA:** The criteria determined by the IEP team, which identify behavioral goals the student is expected to achieve that will facilitate placement in the least restrictive environment (LRE). Exit criteria apply only to those students placed under the residential special education (RSE) option. The RSE option requires the home school district's IEP team, which must include a state placing agency (SPA) representative, to develop the discharge criteria.

**FISCAL RESPONSIBILITIES OF THE HOME SCHOOL DISTRICT:** Pursuant to A.R.S. §15-1183, if a home district fails to complete the requirements for a continuing

residential education voucher, the home school district is responsible for payment of educational costs until the requirements of subsection B of this section have been met. **FREE APPROPRIATE PUBLIC EDUCATION (FAPE):** The IDEA–stated purpose “to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living . . .” [See 20 U.S.C. §1400 (d) (1) (A)]

**HOME SCHOOL DISTRICT (HSD):** The school district in which the person who has legal custody of the student resides, as provided in A.R.S. §15-824 (B). If the student’s last school was a charter school, the home school district is the last school the student attended. If the student is a ward of the state, the home school district is the last district the student attended. If the student has not previously attended a public school in this state, the home school district is the public school district where the student currently resides. [See A.R.S. §15-761 (9); A.A.C. R7-2-401 (B) (5) (b)]

**INDIVIDUALIZED EDUCATION PROGRAM (IEP):** A student’s IEP describes how the public education agency (PEA) will provide the student with a FAPE. It is a written statement for providing special education services to an eligible student with a disability that includes the student’s present levels of academic achievement and functional performance, measurable annual goals, and the specific special education and related services to be provided. [See A.R.S. §15-761 (11)]

**INDIVIDUALIZED EDUCATION PROGRAM TEAM:** A group of persons, including the parents or guardian/surrogate, whose task it is to develop an appropriate individualized education program for the student based on assessment results. [See A.R.S. §15-761 (12)]

**INTERAGENCY SERVICE AGREEMENT (ISA):** An agreement between two or more state agencies for the provision of services defined in the agreement and work statement.

**LEAST RESTRICTIVE ENVIRONMENT (LRE):** Except as provided in 34 C.F.R. §300.324 (d) (2) (regarding children with disabilities in adult prisons), the State must have in effect policies and procedures to ensure that public agencies in the state meet the LRE requirements. [See 34 C.F.R. §300.114] Each public agency must ensure to the maximum extent appropriate that children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled. [See 20 U.S.C. §1412 (a) (5)]

**MULTIDISCIPLINARY EVALUATION TEAM (MET):** The MET is composed of qualified professionals, along with the parent, guardian, or surrogate parent of the student, who meet for the purpose of determining eligibility for special education services based on existing data and if applicable, assessment results. [See A.R.S. §15-761 (16)]

**NON-SPECIAL EDUCATION (NSE):** Category used for a student placed in a residential treatment center by a state placing agency (SPA) for care, safety, or treatment who is found ineligible to receive special education services.

**PARENT:** The natural or adoptive parent of a student; the legal guardian of a student; a relative with whom the student resides and who is acting as the parent of that student; a surrogate parent who has been appointed for a student pursuant to A.R.S. §15-763.01; or a foster parent. [See A.R.S. §15-1181 (6)]; [See also A.R.S. §15-761 (22)]

**PRIOR WRITTEN NOTICE:** Written notice, as defined in 20 U.S.C. §§1414 and 1415, provided to parents following a team decision, which includes: [See 34 C.F.R. §300.503 (a)]

- A description of the action proposed or refused by the school.
- An explanation of why the school proposes or refuses to take the action.
- A description of any options the school considered and the reasons why those options were rejected.
- A description of each evaluation procedure, test, record, or report the school used as a basis for the proposal or refusal.
- A description of any other factors relevant to the school's proposal or refusal.
- A full explanation of all of the procedural safeguards available to the parent.
- A listing of sources for parents to contact to obtain assistance in understanding the notice.

**PRIVATE DAY SCHOOL:** An approved private day school is a private school that is established to serve primarily students with disabilities. The school may also serve students without disabilities. [A.A.C. §R7-2-401 (B) (21)]; [See also A.A.C. §R7-2-402 Standards for Approval of Special Education Programs in Private Schools]

**REGIONAL BEHAVIORAL HEALTH AUTHORITY (RBHA):** An organization under contract with the Arizona Department of Health Services to coordinate the delivery of behavioral health services to eligible persons in a geographically specific service area in the state.

**REINTEGRATION PLAN:** An outline of the process that will be used to transition a student from a residential treatment center (RTC) into a less restrictive environment when it is appropriate to do so. The RTC and the state placing agency (SPA) shall work with the home school district (HSD) in the development of this plan. If a student is placed for educational reasons as residential special education (RSE), the reintegration plan must be developed as part of the IEP. [See A.R.S. §15-1185 (A-B)]

**RELATED SERVICES:** Those supportive services required to assist a student with a disability who is eligible to receive special education services to benefit from special education. [See A.R.S. §15-761 (27)]

**RESIDENTIAL SPECIAL EDUCATION (RSE):** Category used for a student with a disability placed in a residential treatment center (RTC), as provided in A.R.S. §15-761 (28) in order to provide necessary special education and related services as specified in an individualized education program (IEP) that meets the LRE needs of the student. [See A.R.S. §15-1182 (F)]

**RESIDENTIAL TREATMENT CENTER (RTC):** A private facility licensed by the Department of Economic Security or Department of Health Services and approved by the ADE for the purpose of providing special education and related services; or for other

than special education placements is accredited by the North Central Association of Colleges and Secondary Schools. (A private facility applying for initial approval as a private school is not required to receive accreditation until three years after the date of initial approval, as long as continual progress toward accreditation is being made.) [See **A.R.S. §15-1181 (8) (a)-(b)**]

#### **REVIEW OF EXISTING DATA (RED):**

##### **Review of Existing Evaluation Data**

The review of existing evaluation data must be a part of any reevaluation. Using information from the review of data and input from the child's parents, the reevaluation team must identify what additional data, if any, are needed to determine:

- Whether the child has or continues to have a disability and the educational needs of the child;
- The present levels of academic achievement and related developmental needs of the child;
- Whether the child continues to need special education and related services; and
- Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP and to participate, as appropriate, in the general education curriculum.

The team may conduct its review without a meeting. Once the team has identified what, if any, additional data are needed, parent consent to gather the additional data must be obtained.

##### **Requirements if Additional Data Are Not Needed**

There are occasions when the wealth of information contained in a child's file and reviewed by the IEP team provides ample documentation of the child's continued eligibility and the necessary content for the IEP. When no additional assessments are needed, the PEA must still notify the child's parents of

- The determination that no additional data are needed and the reasons for the decision; and
- The parents' right to request any assessments to determine continued eligibility and educational needs.

**SPECIAL EDUCATION VOUCHER FUND FOR PRIVATE PLACEMENT:** Fund established by the state legislature to provide monies for "the education of a student who has been placed in a residential facility by a state placing agency or who requires a residential special education placement as defined in section **A.R.S. §15-761 (28)**. [See **A.R.S. §15-1182 (D)**]

**STATE PLACING AGENCY (SPA):** One of the following government agencies with the authority to place a student in an RTC for care, safety, or treatment: Arizona Department of Juvenile Corrections (ADJC); Department of Economic Security (DES); the Department of Health Services, Division of Behavioral Health Services (DHS/DBHS); or the Administrative Office of the Court (AOC/Juvenile Court). [See **A.R.S. §15-1181 (12)**]

#### **VOUCHER APPLICATIONS (see Appendix for Forms):**



- Alternate Initial Education Voucher Application – Used for students expected to be in placement less than 60 days.
- **Initial Education Voucher Application** – Pursuant to A.R.S. §15-1182, this application can only be approved for a period of 60 calendar days.
- **Extension** – Pursuant to **A.R.S. §15-1183 (C)**, the funding of an approved *Initial Education Voucher Application* may be extended past 60 days for good cause (as determined by the state director of the division of special education or the ESS designee) when the home school district (HSD) determines it is unable to complete the *HSD Education Voucher Application* packet within the 60-day timeframe. Only one 60-day Extension will be approved per placement.
- Home School District (HSD) Voucher Application – The HSD is responsible for completing the form. This application and required documentation (the MET report, eligibility statement, PWN, and IEP, if needed) must be submitted to the ADE/ESS/Vouchers unit within 60 calendar days of the student's entry into the RTC.
- Continuing Education Voucher – All vouchers expire on the last fiscal day of the current year (June 30). No separate voucher funding is provided for summer programming. If a student with an approved *HSD Education Voucher Application* will remain in placement in a new school year, the residential treatment center (RTC) is responsible for submitting the *Continuing Education Voucher Application* with the approval of the home school district (HSD). The HSD, in collaboration with the RTC, is responsible for annual IEP reviews and triennial reevaluations as needed.

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## Responsibilities – Placement by State Placing Agency (SPA)

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### RESPONSIBILITIES OF THE STATE PLACING AGENCY (SPA)

**Provide** the RTC with information for the *Voucher Application*.

- Student birth date
- Parent address and phone number
- Last school of attendance
- SAIS number
- Complete the state placing agency contact information

**Collaborate** with the HSD and RTC to develop a reintegration plan.

### RESPONSIBILITIES OF THE RESIDENTIAL TREATMENT CENTER (RTC)

**Notify the** HSD of placement and **request** educational records within 10 days of student's RTC entry.

**Complete** the *Voucher Application*.

- Obtain the HSD signature and **submit** the voucher to ADE/ESS.
- **Collaborate** with the HSD on the following items:
  - **Obtain** a release of information from the guardian of the student to obtain the necessary records to complete the MET and the IEP.
  - **Complete** the evaluation for a student not currently eligible for special education services.
  - **Develop** an IEP for an eligible student.
  - **Review** and **revise** the IEP for a student already receiving services.
- **Invite** the SPA and the HSD to student progress meetings.
- **Provide** educational progress reports to parents and HSD quarterly.
- **Develop** with the SPA and the HSD a reintegration plan and discharge date for the student who will be returning to the HSD upon discharge.
- **Provide** discharge information to the HSD and the SPA within 10 days, if the student leaves prior to planned discharge date or discharges without HSD knowledge.
- **Notify** ADE/ESS monthly of all discharges.

## RESPONSIBILITIES OF THE HOME SCHOOL DISTRICT (HSD)

**Provide** educational records to the RTC in a timely manner.

- **Sign** and **return** the *Initial Voucher Application* to the RTC and ADE.
- **Determine** if the student is already receiving special education services.
- If the student is not receiving services:
  - **Convene** the MET with the RTC.
  - **Review** existing data, **gather** additional data if it is warranted, and **determine** eligibility.
  - **Submit** the HSD packet to ADE within 60 days of the student's RTC entry date.
- If the student is not eligible for special education services:
  - **Complete** the *HSD Education Voucher Application* packet.
  - **Check** the NSE option.
  - **Submit** the HSD packet to ADE within 60 days of the student's RTC entry date.
- If the student is eligible for special education services:
  - Collaborate with the RTC to **develop** an IEP for services in the LRE.
  - Use the PWN to document that the IEP will be implemented in the RTC.
  - **Complete** the *HSD Education Voucher Application* packet.
  - **Check** the CSE (or RSE if it is appropriate) option.
  - **Submit** the HSD packet to ADE within 60 days of the entry date.
- If the student is currently receiving special education services:
  - **Review** the IEP with the RTC and **revise** it with the IEP team for implementation in the RTC.
  - **Complete** the *HSD Education Voucher Application* packet.
  - **Check** the CSE option.
  - **Submit** the HSD packet to ADE within 60 days of the student's RTC entry date.
- **Submit** an *Extension of Education Voucher Application* if you are unable to **complete the** requirements within 60 days of the student's RTC entry date. The HSD will be held responsible for payment of all educational costs if the requirements are not met.
- **Monitor** progress while the student is in placement; **participate** in treatment planning and staffing; **insure** the evaluation and IEP remain current.
- **Collaborate** with the SPA and RTC to **develop** a reintegration plan for the student who will be returning to the HSD and **determine** an appropriate discharge date.

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# Responsibilities – Placement by Home School District (HSD) Individualized Education Program (IEP) Team

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## RESPONSIBILITIES OF THE HOME SCHOOL DISTRICT (HSD)

- Reconvene the IEP team including the regional behavioral health authority (RBHA) to **discuss** student placement.
- If it is determined that the RTC is the LRE for the student, **contact** the RBHA with the parents and **initiate** a referral for a behavioral health evaluation.
- **Make** RBHA aware that the referral is for possible residential educational placement **or**
- **Contact** the caseworker if the student is receiving services from the RBHA.
- If it is determined that the student requires placement, **develop** an IEP **documenting** need, necessary services, exit criteria, and reintegration plan.
- **Complete** and **submit** the *Voucher Application* packet for approval. **Check** RSE option.
- **Provide** FAPE to the student while waiting for placement.
- **Provide** educational records to the RTC when placement occurs.
- **Monitor** progress, participate in treatment planning, **ensure** IEP and evaluation remain current.
- **Implement** the reintegration plan.

## RESPONSIBILITIES OF THE STATE PLACING AGENCY (SPA)

- **Conduct** a behavioral health assessment.
- **Represent** the agency at the IEP meeting.
- **Participate** in the development of exit criteria and a reintegration plan.
- **Find** an appropriate, approved RTC and **place** the student within 15 days of the IEP meeting.
- **Notify** parent, HSD, and ADE/ESS if student cannot be placed within 15 days.
- **Assist** in implementation of the reintegration plan.

## RESPONSIBILITIES OF THE RESIDENTIAL TREATMENT CENTER (RTC)

- **Ensure** that the *HSD Education Voucher Application* is approved prior to student admission.
- **Invite** HSD and SPA representatives to treatment planning and other meetings regarding student.
- **Provide** educational progress reports and accurate data regarding exit criteria to parents and HSD regularly.
- **Collaborate** with the SPA and HSD to **implement** the reintegration plan at discharge.
- **Notify** the HSD and SPA if student leaves the facility prior to plan discharge.

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## Guide to Placement in a Residential Treatment Center (RTC)

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In order for the IEP team to arrive at an appropriate decision regarding placement in an RTC, the team should answer the following questions.

1. What services, strategies, and/or interventions did you try to help this student benefit from a less restrictive placement?
2. What impact did those services, strategies, and/or interventions have on the student?
3. What impact does the student's behavior have on the less restrictive placement? (e.g., ability of others to learn)
4. What factors now hinder the implementation of the IEP in a less restrictive placement? (e.g., danger to self and others, medical needs, immediate accessibility to resources)
5. What additional supports would be needed for the student to be successful in a less restrictive placement?
6. Why is the proposed placement (i.e., placement in an RTC) essential to meeting the student's learning needs? (Describe the environment and its potential impact on the student.)

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## Exit Criteria Guidelines

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Exit criteria are a required part of the IEP only when students are placed in a residential treatment center for educational reasons.

1. Exit criteria must be *behavioral* and clearly reflect the reasons the student requires placement. They should not include academic goals, behavioral goals for less severe behaviors (e.g., on-task, work completion), or therapeutic goals.
2. Exit criteria must be *measurable*. Therefore, the behavior must be observable, and it must be possible to count instances of the behavior.
3. Exit criteria must be *reasonable*. Disabilities must be taken into account and students should not be held to a higher standard than students in less restrictive environments are. In addition, the number of criteria should be kept to a minimum. The criteria are only to identify those behaviors that prevent the student from functioning in a less restrictive environment.
4. Exit criteria should be aligned with the behavioral health treatment plan to ensure consistency in goals and approach.

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### EXAMPLES OF ACCEPTABLE EXIT CRITERIA

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- The student will avoid physically assaultive behavior 100% of the time.
- The student will demonstrate compliance with staff directives without arguing 75% of the time.
- The student will demonstrate appropriate verbal expression 80% of the time.
- The student will demonstrate positive peer interactions 75% of the time.

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### EXAMPLES OF UNACCEPTABLE EXIT CRITERIA

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- The student will demonstrate on-task behavior 95% of the time for 3 months.
- The student will resolve grief issues.
- The student will have a positive attitude toward school.
- The student will have a healthy sexual identity.
- The student will avoid physical and verbal tics 100% of the time. (Student has Tourette's syndrome.)
- The student will increase his reading skills by one grade level.

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# Summary of the Interagency Service Agreement (ISA) between ADE and the Division of Behavioral Health Services (DBHS)

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Pursuant to Arizona Revised Statutes (A.R.S.) §35-148, there is an interagency service agreement between the Arizona Department of Education and the Arizona Department of Health Services, Division of Behavioral Health Services, as State budget units.

The purpose of the agreement is to ensure that every student with a disability receives appropriate educational services in the least restrictive environment, as specified by the student's IEP after consideration of the full range of educational placement options. A few things that the ISA outlines include:

- Procedural safeguards that are available through IDEA and ADHS/DBHS policies remain in place.
- A parent must give consent to treatment before a child can be placed.
- If the parent revokes consent for placement, then the IEP team must reconvene within two working days.
- ADHS/DBHS is responsible for funding the room and board and other behavioral health components.
- ADE is responsible for funding the educational portion identified in the IEP.
- Both ADE and DBHS agree to comply with the federal Family Educational Rights and Privacy Act.

Should you require a copy of the interagency service agreement, you can request one from:

The Arizona Department of Education  
Procurement Office, Bin #37  
1535 W. Jefferson St.  
Phoenix, AZ 85007  
(602) 364- 2517

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## Student Transfer from Elementary to High School District

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Students who have been placed in residential treatment centers sometimes age out of their last home school district when that district is an elementary district or a K-8 charter school. **In these instances, the elementary school district or charter school needs to take the following actions:**

- Review student records and determine if you want to promote the student into the designated high school district.
- If you choose to promote, contact and send all records and the promotion certificate to the residential treatment center that sent the voucher to you within 10 days.
- The high school district for the student would be determined by the parent's/guardian's residence.
- If your school chooses not to promote the student, then you retain the responsibility for completing all voucher-related activities pursuant to the Arizona Revised Statutes and Arizona Administrative Code.

The residential treatment facility needs to take the following actions:

- Send a new voucher application with the promotion certificate attached to the determined high school district.
- Assist responsible parties in data collection for voucher-related activities pursuant to the Arizona Revised Statutes and Arizona Administrative Code.

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## Student Transfer between Treatment Centers

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Students who have been placed in residential treatment centers are sometimes transferred from one residential treatment center to another.

In these instances, the school district or charter school needs to take the following actions:

- Sign the new *Initial Voucher Application* for the new attending facility.
- If you have not already completed the home school district application portion of the voucher requirements, continue the process with the attending residential treatment facility.
- If a student's home school district application has been approved for the current fiscal year, no further actions are required other than maintaining responsibilities for the student who receives special education.



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# Principles, Procedures, and Standards for the Approval of Private Special Education Programs

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Section R7-2-402 of the Arizona Administrative Code grants the Arizona Department of Education, Exceptional Student Services, the authority to regulate and supervise the education of all children who are residing in or attending a private or public facility. In light of these statutory powers, the Arizona Department of Education, State Initiatives division, has the authority and responsibility to evaluate the suitability and efficacy of such private facilities before approving the facilities to contract with local education agencies to use such facilities for special education purposes.

As local educational agencies may find it necessary to contract with private facilities in order to meet their statutory obligations as specified under 20 United States Code §1400, the Individuals with Disabilities Education Act, and A.A.C. §R7-2-402, all such private special education facilities must adhere to common operational standards. To some extent, such standards are reflected in the criteria established by the Arizona Department of Education for the approval of special education facilities.

This document is provided as an aid to private facilities seeking the Arizona Department of Education's approval as a special education facility.

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# Principles for the Approval of Private Special Education Facilities

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The principles listed below serve as the basis on which special education programs in private facilities in the state of Arizona shall be approved. They are applicable to special education programs in private day schools, residential treatment centers, and facilities that have a combination of both.

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## APPROVAL PRINCIPLES

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In order for a student to be placed by a public education agency in a private school special education program, the facility must first be approved as meeting the standards as outlined in A.A.C. §R7-2-402.

Upon receipt of a written application for approval and a review of the application, a representative of the Arizona Department of Education, Exceptional Student Services, State Initiatives unit, will conduct a site visit to the private facility for the purpose of monitoring the implementation of the Standards for Approval of Special Education Programs in Private Schools. [See A.A.C. §R7-2-402]

After the initial approval, representatives from the Arizona Department of Education or its designees shall annually review the approval status of the private special education facility to ensure the facility's continuous compliance with the implementation of the standards. The approval cycle will take place annually.

Between approval cycles, an approved private special education facility shall submit in writing to a representative of the Arizona Department of Education or its designee a request for approval when the facility proposes: (1) a change in program location(s), (2) a change in the ages of the students served, (3) a change in the type of educational programs offered, (4) a change in the disabling condition of students served, or (5) a change in certified staff available. After receiving a request, a representative of the Arizona Department of Education or its designee will verify that any prerequisite conditions are met before the change is implemented. The due date for any requested changes will be the second Thursday of the month. Failure to submit the request by the due date will result in the change's being implemented after the second Thursday of the next month.

Each private facility seeking approval or maintaining approval shall meet, but not be limited to, the following standards as mandated by A.A.C. §R7-2-402:

1. To accept students from public education agencies into a facility that has met the Standards for Approval of Special Education Programs in Private Schools.
2. To accept only students whose category of disability is the same category for which the private program has been approved.
3. To provide an education that is comparable to that provided by the public schools of Arizona.
4. To provide documentation of policies and procedures based on IDEA and state statutes.

5. To provide documentation of curriculum that is aligned with Arizona's College and Career Ready Standards.
6. To provide a complete application.
7. To provide copies of teacher and related services personnel certifications and licensures.
8. If applicable, to provide documentation of North Central Accreditation.
9. To provide certificated special education teachers in each classroom to implement the IEPs of those students assigned to those classrooms.
10. To provide related services to meet the needs of the students as indicated on their IEPs.
11. To provide administrative personnel certificated in an administrative area or experienced and certificated in the appropriate areas of special education.
12. To provide an education that meets the standards that apply to education provided by the public education agency.
13. To maintain student records in accordance with statutory requirements.
14. To accept all responsibilities concerning instructional programs to the student with a disability and parent or guardian that are required of the public schools of Arizona. (Ultimate responsibility for any student under contract in a private special education school rests with the public education agency contracting for the student's education.)
15. To administer all required statewide assessments to those students placed in the private facility by a PEA or through the educational voucher system.
16. To maintain adequate liability insurance.
17. To maintain an accounting system and budget that includes the costs of operation, maintenance, transportation, and capital outlay, and that is open to review upon request.
18. To maintain an attendance reporting system that provides public education agencies and the Department with required information.
19. To provide notification to contracting public education agencies and the Department of any changes in staff or deletion of programs within **10 school days** of the change or deletion.
20. To provide notification to the contracting PEA of any intent to discontinue, suspend, or terminate services to a student in which the change is greater than 10 days. (Services to the student must be continued by the private special education program until an IEP team meeting is convened to determine an appropriate alternative placement. The PEA must be given up to 10 school days to arrange for this transition of the student after the IEP determination.)
21. To request approval to contract with public education agencies from the Department in accordance with the prescribed procedures.
22. To permit on-site evaluation of the program by the Department or its designees and the representatives of the public education agencies.
23. To ensure all employees have undergone a background check and have a current fingerprint clearance card as per A.R.S. §15-512.

For applicants that are residential treatment centers or have a residential treatment center component, the applicant further agrees, as per A.A.C. §R7-2-404 Special Education Voucher Program Policies and Procedures:

24. To provide all student information requested on the institutional voucher application.
25. To guarantee the maintenance of and the ability to produce all supporting documentation.
26. To report any changes in status to the Exceptional Student Services division of the Arizona Department of Education within 10 days of the occurrence.
27. To provide documentation of measurable exit criteria and a reintegration plan.

In the event that an approved private special education facility is found deficient in the implementation of standards, ADE/ESS State Initiatives may issue a letter of deficiency and give the facility 30 calendar days to correct the items in question. If the facility fails to provide evidence that any deficiencies have been corrected, ADE/ESS State Initiatives may revoke the facility's approval status.

The Arizona Department of Education shall maintain a list of approved special education facilities on its website.

## **APPROVAL PROCEDURES**

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1. A private facility that is seeking approval of its special education program must request access to the current application from:  
State-Approved Private Day Schools  
Exceptional Student Services  
The Arizona Department of Education  
3300 N. Central  
Phoenix, AZ 85012
2. To initiate the approval process, the private facility must prepare and submit the completed forms (See Appendix) and other material as required by the Arizona Department of Education.
3. In the case of an INITIAL application for a new facility or site, when the completed application forms are received, ADE/ESS State Initiatives will arrange a site visit to physically inspect the facility or site. In the case of a RENEWAL application, ADE/ESS State Initiatives will conduct a review of the application.
4. A private facility must obtain the appropriate licensure and approvals from other agencies before an on-site evaluation by ADE/ESS State Initiatives. These include, but may not be limited to:
  - a. certification of the physical plant by local fire and health officials that the facility meets all applicable state fire and health code requirements; and
  - b. if seeking approval for pre-kindergarten services, license from the Department of Health Services as an approved day care facility; and
  - c. if seeking approval as a residential treatment center, license from the Department of Health Services as a residential treatment center.
5. The on-site evaluation will consist of:
  - a. verification of the information submitted with the application.
  - b. inspection of buildings and grounds.
  - c. review of curriculum and materials.
  - d. staff/administrator interviews.
6. A preliminary evaluation report shall be sent to the private facility, and an opportunity will be provided for response to issues that could affect the granting of approval.
7. If the private facility disagrees with the preliminary evaluation report, a letter to that effect may be sent to the Director of State Initiatives, who will review it and inform the private facility of the status of the application for approval.

8. A final evaluation report will be forwarded, with the recommendation to approve or deny approval, to the Director of State Initiatives for appropriate action by ADE/ESS.
9. The Director of State Initiatives shall make one of the following dispositions concerning the facility's status:
  - a. **Approved** – a status given to the facility by ADE/ESS subsequent to the program, fiscal, and on-site evaluations. This status indicates that the facility meets the Standards for Approval of Special Education Programs in Private Schools as defined in A.A.C. §R7-2-402. This status requires annual renewal of approval following initial approval.
  - b. **Disapproved** – a status given to the facility when ADE/ESS finds, upon inspection, that the facility is not in compliance with relevant federal and state laws and regulations or local requirements; if, on inspection, any condition endangering life, health, or safety of children is discovered; or if the facility fails to meet criteria specified in this document. Under exceptional circumstances, the Director of State Initiatives may seek immediate revocation of a facility's approval. Local education agencies cannot place students in a program that has been disapproved by ADE/ESS.
10. A signed Statement of Assurances must accompany both initial and renewal applications. Failure to do so will result in disapproved status.

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## APPROVAL STANDARDS

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These standards are applicable to special education programs in private day schools and residential treatment centers.

1. Governance
2. Administration
3. Fiscal Management
4. Admissions
5. Individual Student Records
6. Program Requirements
7. Evaluation of Student Progress and Reporting Responsibilities
8. Student Management Techniques
9. Qualifications and Requirements for Instructional, Administrative, and Support Personnel
10. Health and Safety
11. Termination of Enrollment

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## PROCEDURES FOR REQUESTING CHANGES IN PROGRAM BETWEEN APPLICATION RENEWAL CYCLES

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Changes in a program that require prior notification and approval from the Arizona Department of Education/Exceptional Student Services are as follows:

- a change in program location(s),
- a change in the age of students served,

- a change in the type of educational program provided, or
  - a change in the categories of disabilities served.
1. The administrator of the private facility will contact the education program specialist for state-approved private day schools via letter or e-mail. The communication will indicate that the facility is considering a program change and will describe the change.
  2. The education program specialist will contact the private facility administrator and set a meeting time, either in person or telephonically, within two weeks of receiving the change request.
  3. During the meeting, the education program specialist and the administrator of the private facility will discuss the scope of the change. The meeting will address the following:
    - the program standards that are impacted by the change;
    - the necessary documentation the facility must submit to ADE/ESS State Initiatives;
    - a projected date ADE/ESS State Initiatives will render a decision on the request for changes to the program; and
    - the projected date for implementation of the program change.

**Note: As stated earlier, changes will be implemented on the second Thursday of each month. Any request for changes occurring after that day will not be implemented until the second Thursday of the following month.**

4. When the documentation is received by the education program specialist, it will be reviewed to ensure that it complies with the Standards. When the facility complies with the requirements of the Standards, ADE/ESS State Initiatives will approve the request for change. A copy of the request, along with the relevant documentation will be placed in the facility's current application file. The change in approval will be reflected in the facility's description published on the list of approved special education facilities maintained on the ADE/ESS State Initiatives website.

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## GOVERNANCE

1. A private facility shall have a clearly identifiable governing body that is responsible for the policies and activities of the school. The governing body of a private facility shall ensure that the facility is in compliance with all federal and state laws and regulations and local requirements and shall be responsible for ensuring the facility's continuous compliance with the facility's charter, constitution, or other organizational document or agreement.
2. The governing body of a private facility shall appoint a person to act as chief administrator of the special education program and delegate sufficient authority to this person to effectively manage the affairs of the program.

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## ADMINISTRATION

1. A private facility shall have a written policy to assure that it complies with the provisions of the Individuals with Disabilities Education Act, Public Law 101-476; Section 504 of the Rehabilitation Act of 1973; The Family Educational Rights and Privacy Act, Sections 10-76a-

10-76q inclusive; the Arizona Revised Statutes, and the regulations adopted thereunder; and all other relevant federal and state laws and regulations and local requirements.

2. The private facility shall maintain policies and procedures on file as specified in these standards and make them available for review by the Arizona Department of Education evaluation team or designee, local school districts, state child care agencies, and parents/guardians of children enrolled or seeking enrollment. These policies and procedures shall ensure student rights and the provision of special education services.

Such procedures shall include gaining informed written consent of the parent(s) or guardian for the student's participation in any activity that might encroach upon personal liberty.

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## **FISCAL MANAGEMENT**

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1. A private facility shall maintain an accurate accounting system and shall provide, upon request, fiscal information on the operation of the school to the contracting local school districts and to the State Department of Education.
2. A private facility shall carry adequate insurance covering fire and general liability as protection for students enrolled. The private facility shall have insurance that covers liability to third parties or students enrolled arising through the use of any vehicle, whether owned or not owned by the facility or used by any of the facility's staff or agents conducting the facility's business.

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## **ADMISSIONS**

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1. A private facility shall maintain on permanent file a written description of its admission procedures including:
  - a description of all admissions criteria;
  - identification of disabling conditions of the students it serves;
  - the age and gender of students it serves;
  - a description of the education program;
  - criteria for termination of enrollment;
  - collaboration with LEAs to ensure that students placed for non-educational reasons are educated in the least restrictive environment.
2. When a student who presents serious disruptive behavior is admitted to the facility, the individualized education program shall include a behavior management plan which includes:
  - provisions for staffing and supervision to prevent, with reasonable assurance, harm by the student to self or others; and
  - provisions for appropriate monitoring and review of the student's emotional and behavioral status.

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## **INDIVIDUAL STUDENT RECORDS**

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A private facility shall maintain a written record for each student that shall include administrative, treatment, and educational data from the time of admission until the time the student leaves the facility. When a child placed by a local school district or other public agency is discharged from a private facility, that facility shall ensure that all records are forwarded to that public agency.

When a copy of a student's education record is maintained by the facility, the facility must inform the parents/guardians that a copy of their student's records is maintained within the agency and must provide the parents/guardians access to the copy. The private facility must also inform the local education agency that the facility is maintaining a copy of the student's record. A student's individual record shall contain, at a minimum, the following documents:

- a copy of the individualized education program (IEP);
- consent forms signed by the parent(s) or guardian allowing the facility to authorize all prescribed medical care and emergency medical treatment; (When a private facility conducts routine screenings, e.g., hearing/vision, or provides immunizations required by statute to students, consent forms must also be maintained.)
- cumulative health records; and
- evaluation records and at least two reports per year of student progress toward achieving the objectives in the IEP.



## **PROGRAM REQUIREMENTS**

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1. Unless otherwise specified in the IEP, the school year shall consist of a minimum of 180 days for grades one through twelve inclusive, as provided in Sections 15-341.01 of the Arizona Revised Statutes.
2. The placing school district is responsible for the development and appropriateness of a student's IEP and any changes made in that IEP. Each private facility shall request from the placing LEA an individualized education program (IEP) prior to the enrollment of the student in the private facility. For students placed by other agencies, the private facility should obtain an IEP as soon after placement as feasible from the district having educational jurisdiction. The IEP shall serve as the basis for instruction for each student.
3. A private facility shall have a written description of the education program for each student and shall have curriculum and sufficient instructional materials, supplies, and equipment, in accordance with state requirements for educational programs, for full implementation of the IEP.
4. A private facility that participates in the administration of any state or district assessments shall have in place a policy and procedures to address the administration of said assessments to students whose IEPs require it. The facility's policy and procedures shall address the following testing requirements:
  - a. the appointment of a test coordinator;
  - b. timely notification to ADE/Exceptional Student Services and ADE/Assessment of the name of the test coordinator;
  - c. required attendance of test coordinators at annual workshops for test coordinators sponsored by ADE;
  - d. immediate notification to ADE/Assessment of any problems that might impact required assessments;
  - e. establishment of protocols to ensure test security; and
  - f. the provision of test modifications/accommodations as recommended in the student's IEP or 504 plan.

## **EVALUATION OF STUDENT PROGRESS AND REPORTING RESPONSIBILITIES**

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1. At least two (2) reports based on the goals and objectives of the student's IEP shall be sent to the sending agency and to the parents/guardian each year. These reports must be communicated in language that is easily understood by parents/guardians. Each private facility shall notify and send written reports to parents/guardians and the sending agency regarding any disciplinary measure employed, such as in-school or out-of-school suspension that substantially removes the student for extended periods of time from those program activities related to the child's IEP.
2. The private facility shall provide in a timely manner the following information to the Arizona Department of Education:
  - a certified staff data form;
  - current approval from local fire and health officials indicating compliance with state regulations;

- immediate notification of change of ownership and location;
  - immediate notification of change in chief administrator and education director;
  - immediate notification of any other conditions that might significantly alter program and/or health and safety of the students; and
  - a copy of the appropriate licensure to operate its residential component.
3. Statement of assurances, provided by the Arizona Department of Education, must be signed by the facility's executive director/chief administrator and submitted to the Arizona Department of Education annually.

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### **Student Management Techniques**

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1. Each private facility shall have written policies and procedures regarding the choice and use of student management approaches. This policy shall list the management techniques employed including aversive techniques, if they are used, and shall set forth a schedule for the review of each technique and its effectiveness in changing behavior and identify less intrusive measures to be subsequently employed.
2. Each private facility shall keep thorough documentation of all management procedures prescribed in the IEP. These policies and procedures shall be made available upon request to the public education agency and the parent(s) or guardian of each student enrolled in that facility.
3. Each private facility shall make provision to train staff in acceptable behavior management techniques. The facility should ensure that such techniques are carried out with due regard for fairness, humanity, and the dignity of the individual. No behavior management program that uses aversive techniques shall be instituted for any student without the written informed consent of the parents/guardian of that student and the sending school district.

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### **Qualifications and Requirements for Instructional, Administrative, and Support Personnel**

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1. Each private facility shall ensure that:
  - a. All special education program administrators, instructional, and related services personnel providing special education shall hold proper certification as mandated by the Arizona Department of Education.
  - b. Administrators of the facility's special education program shall hold either a current Arizona special education certification or an Arizona principal's certification.
2. A private facility shall have written personnel policies and job descriptions for its staff.
3. The private facility shall require personal and prior work references to be on record before hiring staff who will work directly with students. In addition, fingerprinting and criminal records checks of staff who work directly with students shall be on file.

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### **Health and Safety**

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A private facility shall formulate written policies and procedures governing the prescribing and administration of medication to students. These policies and procedures shall be disseminated to all staff responsible for prescribing and administering medication.

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### **Termination of Enrollment**

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A private facility shall not terminate the enrollment of any student without consulting with the student's parent(s) or guardian, the placing public education agency, and any other agencies that have the responsibility for the student's educational program. The public education agency will be given 10 school days to arrange another alternative educational placement.

For a student in a hospital educational placement, assuming consents are secured, the school facility shall immediately notify the public education agency of the student's discharge from the hospital. For a student placed in a residential treatment center by a state agency, that facility shall notify the public education agency immediately upon an unplanned discharge.

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# ED-P Criteria

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## **Student Characteristics**

- Special education eligibility category of ED
- Indication of possible mental illness with need for mental health services
- Exhibits behaviors with intensity and duration that exceed those of students served in self-contained settings
- Requires structure that provides additional supervision and environmental safety

## **Programmatic Requirements (Academic/Therapeutic Programs)**

- Part of continuum of service delivery options available within the LEA
- Separate public program, which may be housed in a separate classroom or building on a regular school campus or in a separate site in the local education agency (LEA)
- Utilizes curriculum that is aligned to/with Arizona's College and Career Ready Standards
- Maximum of 12 students with teacher and full-time paraprofessional, with the addition of a third staff member available for crisis intervention and behavior management
- Mental health component provided on a regular basis by mental health professional (Specific services may include, as determined by the IEP team, one-on-one or small-group counseling for student(s) and/or parent(s), social skills instruction, crisis intervention, and other therapies, as they are appropriate.)
- Case management component, which defines how individual students will be managed and by whom (teacher, psychologist, counselor, etc.)

## **Dispensing of Medication**

- Responsible individuals
- Procedures

## **Outside Agency Involvement, as Appropriate**

- State agencies
- Community-based agencies
- Other

## **Age Range**

- Maximum four-year age range unless granted specific exception.

## **IEP Components**

- Appropriate IEP goals with objectives or benchmarks, if they are required
- Functional behavioral assessment
- Behavioral intervention plan
- Recommended: inclusion of exit criteria and transition plan to promote student's return to a less restrictive environment\*\*

***\*\*Requires notification to ADE School Finance division when student no longer meets the eligibility criteria for ED-P census category because of a change in placement. Personnel***

**Requirements**

- Paraprofessional
  - Intensive training in behavior strategies (covert and overt)
  - Training in non-aversive physical management
  - Training in CPR/first aid
- Teacher
  - ED certified **or** cross-categorical certified with 20 hours of additional professional development in the area of teaching students with emotional disabilities
  - Highly qualified, per NCLB requirements
- Mental health professional (meets Medicaid standards for reimbursement)
  - Licensed independent social workers
  - Licensed marriage and family therapists
  - Licensed professional counselors
  - Licensed psychiatrists
  - Licensed psychologists
  - School-based guidance counselors
  - School-based school psychologists

**NOTE:** Students with emotional disabilities who are placed in approved private day schools are also listed on the census as ED-P.

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# Approved Private Special Education Schools and Residential Treatment Centers Application Attachments

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State of Arizona  
Department of Education

## PRIVATE SPECIAL EDUCATION SCHOOLS ANNUAL APPLICATION FOR APPROVAL 2014-2015

*Complete all requested information. Retain a copy for your files. Attach all required documentation.*

### Section One Administrative Information

**Corporate Name:** Click here to enter text.  
here to enter text.

**Entity CTDS:** Click

**Mailing Address:** Click here to enter text.

**Corporate Contact Name:** Click here to enter text.  
text.

**Title:** Click here to enter

**Phone:** Click here to enter text.

**Fax:** Click here to enter text.

**E-mail Address:** Click here to enter text.

**School Administrator:** Click here to enter text.  
text.

**Title:** Click here to enter

**Phone:** Click here to enter text.  
text.

**Fax:** Click here to enter

**E-mail Address:** Click here to enter text.

**Check One:** Choose an item.

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## Section Two

### Statement of Assurances

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The applicant assures that special education programs and services approved by the Arizona Department of Education shall be operated in accordance with all applicable state and federal statutes, regulations, and policies; the applicant agrees to comply with all provisions of such requirements, regulations, and policies. All requirements of the Individuals with Disabilities Education Act (IDEA) must be followed in providing a free appropriate public education for the special education students placed at the applicant's school.

The applicant further agrees (as per A.A.C. §R7-2-402, Standards for Approval of Special Education Programs in Private Schools):

1. To accept students from public education agencies (PEAs) into a facility that has been approved as meeting the standards as outlined in A.A.C. §R7-2-402 when a PEA is unable to provide satisfactory education and services through its own facilities and personnel.
2. To accept only students who meet the categorical eligibility criteria (as defined in A.R.S. §15-761 and A.A.C. §R7-2-401 et seq.) for which the private program is approved, regardless of the placing or funding source.
3. To provide special education instructional programs for students with disabilities that are at least comparable to those provided by the public schools of Arizona and that meet the requirements of IDEA.
4. To provide special education services and related services to meet the needs of the students as indicated on their IEPs.
5. To integrate students placed through the IEP process into less restrictive public school programs as soon as determined appropriate by the IEP teams.
6. To maintain instructional services consistent with the curriculum that is aligned with Arizona's College and Career Ready Standards (AZCCRS) and to provide for review, upon request, of this curriculum to the contracting public school district or home school district to ensure students will be eligible for promotion or graduation upon completion of the private school program.
7. To provide certificated special education teachers in each classroom to implement the IEPs of students assigned to those classrooms and to provide documentation of copies of all teacher certifications and related services provider licenses, and if it is applicable, to provide documentation of North Central Accreditation.
8. To administer all required statewide assessments to those students placed in the private facility by a PEA or through the educational voucher system and to submit assessment materials to contracting school districts and home school districts in a timely manner.
9. To accept all responsibilities concerning instructional programs to students with disabilities and parents or guardians that are required of the public schools of Arizona. Ultimate responsibility for any student under contract in a private special education school rests with the public education agency contracting for the student's education.
10. To provide, in a timely manner, student documents including, but not limited to, voucher paperwork, Medicaid services documentation, attendance records, progress



data and reports, grades, and transcripts, as required by ADE, to the contracting public school district or home school district.

11. To ensure that classrooms do not exceed the maximum age range or student-staff ratio unless ADE approves an exception (case-by-case basis only). This applies only to ED-P programs.
12. To provide a completed application.
13. To provide documentation of special education policies and procedures based on IDEA and state statutes.
14. To provide administrative personnel such as a head teacher, principal, or other administrator certificated in an administrative area or experienced and certificated in the appropriate area of special education.
15. To maintain student records in accordance with the statutory requirements and to maintain an accounting system and budget that includes the costs of operation, maintenance, transportation, and capital outlay and that is open to review upon request.
16. To maintain adequate liability insurance.
17. To maintain an attendance reporting system that provides PEAs and the Department with required information.
18. To provide notification to contracting PEAs and the Department of any changes in staff or deletion of programs within 10 school days of the change or deletion.
19. To provide notification to the contracting PEA of any intent to discontinue, suspend, or terminate a student's services for longer than 10 days. Services to the student must be continued by the private school until an IEP meeting with the PEA is convened to determine an appropriate alternative placement. The PEA must be given up to 10 school days to arrange for the transition of the student after the IEP determination.
20. To request approval from the Arizona Department of Education to contract with PEAs in accordance with the prescribed procedures.
21. To permit on-site evaluation of the program by the Arizona Department of Education or its designees and by the representatives of PEAs.
22. To ensure all employees have undergone a background check and have a current fingerprint clearance card as per A.R.S. §15-512.

For applicants that are residential treatment centers or have a residential treatment center component, the applicant further agrees, as per A.A.C. R7-2-204, Special Education Voucher Policies and Procedures:

23. To provide a release of information to the guardian of the student to obtain necessary records, including, but not limited to, medical and educational records and to complete the voucher approval process per A.R.S. §15-766, Evaluation of a Child for Placement in Special Education Program.
24. To provide all student information requested on the residential voucher application to the home school district within 10 school days.
25. To guarantee the maintenance of and the ability to produce all supporting documentation.

26. To report any changes in status to the Exceptional Student Services division of the Arizona Department of Education ([VouchersUnit@azed.gov](mailto:VouchersUnit@azed.gov)) within 10 days of the occurrence.
27. To provide documentation of measurable exit criteria and a reintegration plan.
28. Approved residential treatment centers will provide an intake list of students who are eligible for voucher funding the first Wednesday of each calendar month to [VouchersUnit@azed.gov](mailto:VouchersUnit@azed.gov).
29. Off-cycle claims for the previous fiscal year will be accepted for payment upon receipt and approval of the home school district packets and subsequent continuing voucher applications if they are provided by November 1st of the following fiscal year. The claim will be sent to the Finance department for review and approved for payment within two months.

The applicant recognizes and agrees that approval status and financial assistance from public funds will be based on the representations and agreements made in these assurances and that the United States and the State of Arizona, individually or jointly, shall have the right to seek judicial enforcement of these assurances. These assurances are binding on the applicant, and the person whose signature appears below is authorized to sign these assurances on behalf of the applicant.

**\*Failure to comply with the Statement of Assurances for applicants that are approved private day schools will result in revocation of approval status.**

**\*Failure to comply with the Statement of Assurances for applicants that are residential treatment centers will result in revocation of approval for voucher funding from the Arizona Department of Education.**

By:

Authorized Signature

Authorized Name: Click here to enter text.

**Title:** Click here to enter text.

### Section Three Provision of Services

*Please check the disability categories for which you wish to be approved: (Your approval status is based on appropriate teacher certification.)*

	CATEGORY	TEACHER CERTIFICATION REQUIRED
<input type="checkbox"/>	<b>Autism (A)</b>	Cross-Categorical or SLD, ED, or <b>ID (MR)</b> with courses (3 credits) or training (40 hrs.) in autism
<input type="checkbox"/>	<b>Emotional Disability (ED)</b>	ED or Cross-Categorical with 20+ hours training in ED
<input type="checkbox"/>	<b>Emotional Disability-Private (ED-P)</b>	ED or Cross-Categorical with 20+ hours training in ED and meets ED-P requirements (see attached description)
<input type="checkbox"/>	<b>Hearing Impaired (HI)</b>	HI
<input type="checkbox"/>	<b>Mild Intellectual Disability (MIID)</b>	ID (MR) or Cross-Categorical
<input type="checkbox"/>	<b>Moderate Intellectual Disability (MOID)</b>	ID (MR) or Cross-Categorical
<input type="checkbox"/>	<b>Orthopedic Impairment (OI)</b>	OI or Cross-Categorical
<input type="checkbox"/>	<b>Other Health Impaired (OHI)</b>	OHI or Cross-Categorical + needed health care provider
<input type="checkbox"/>	<b>Severe Intellectual Disability (SID)</b>	ID (MR) or Severely and Profoundly Disabled
<input type="checkbox"/>	<b>Specific Learning Disability (SLD)</b>	LD or Cross-Categorical
<input type="checkbox"/>	<b>Speech-Language Impairment (SLI)</b>	Speech/Language Pathologist
<input type="checkbox"/>	<b>Traumatic Brain Injury (TBI)</b>	Certification required for co-occurring disability category
<input type="checkbox"/>	<b>Visually Impaired (VI)</b>	VI
<input type="checkbox"/>	<b>Developmental Delay (DD)</b>	Early Childhood Special Education
<input type="checkbox"/>	<b>Preschool Severe Delay (PSD)</b>	Early Childhood Special Education
<input type="checkbox"/>	<b>Non-Special Education **Requires submission of North Central Accreditation certificate**</b>	
<b>ATTENTION: If you request approval for either of the two following categories, you must identify the contributing categories for which you will provide direct service.</b>		
<input type="checkbox"/>	<b>Multiple Disabilities (MD):</b> <input type="checkbox"/> HI <input type="checkbox"/> VI <input type="checkbox"/> OI <input type="checkbox"/> MOID <input type="checkbox"/> MIID <input type="checkbox"/> ED <input type="checkbox"/> SLD	All certifications required for contributing categories
<input type="checkbox"/>	<b>Multiple Disabilities-Severe Sensory Impairment (MDSSI):</b> <input type="checkbox"/> Severe HI <input type="checkbox"/> Severe VI <input type="checkbox"/> Severe Intellectual Disability	All certifications required for contributing categories

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## Section Four School Site Information

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*(Complete a separate page for each site.)*

**School Name:** Click here to enter text.  
enter text.

**Site CTDS #:** Click here to

**Physical Address:** Click here to enter text.

**Site Contact Person:** Click here to enter text.

**Site Phone:** Click here to enter text.

**Fax:** Click here to enter text.

**Site E-mail Address:** Click here to enter text.

**School District(s) (in which site is located):** Click here to enter text.

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**Check one only. This site is:** Choose an item.

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**Was this site approved for the 2013–2014 school year?** Choose an item.

**\*\* If “NO,” site must be inspected by ADE before final approval will be given. \*\***

**Check all grades to be served at this site:**

☐ Preschool\*

\*\*“Description of Service Delivery” form must be completed and submitted to be approved for **PRESCHOOL ONLY**.

☐ Kindergarten

☐ First

☐ Fourth

☐ Seventh

☐ Tenth

☐ Second

☐ Fifth

☐ Eighth

☐ Eleventh

☐ Third

☐ Sixth

☐ Ninth

☐ Twelfth

## Section Five Certified Staff List

### CERTIFIED STAFF LIST [Click here to enter text.](#)

**Students placed through the IEP process in an ED-P program must be served with a student-teacher ratio of 12 to 2 with a special education teacher and a paraprofessional, with a third paraprofessional available for behavior issues.\*\***

Name of Teacher		Certificate Number	Expiration Date	Change	Date of Change	Administrator Initials
	<input type="checkbox"/> Cross Categorical <input type="checkbox"/> ED <input type="checkbox"/> SLD <input type="checkbox"/> ID (MR) <input type="checkbox"/> OHI <input type="checkbox"/> OI <input type="checkbox"/> HI <input type="checkbox"/> VI <input type="checkbox"/> SLI <input type="checkbox"/> Severe/Profound <input type="checkbox"/> Early Childhood			<input type="checkbox"/> Add <input type="checkbox"/> Delete		
	<input type="checkbox"/> Cross Categorical <input type="checkbox"/> ED <input type="checkbox"/> SLD <input type="checkbox"/> ID (MR) <input type="checkbox"/> OHI <input type="checkbox"/> OI <input type="checkbox"/> HI <input type="checkbox"/> VI <input type="checkbox"/> SLI <input type="checkbox"/> Severe/Profound <input type="checkbox"/> Early Childhood			<input type="checkbox"/> Add <input type="checkbox"/> Delete		
	<input type="checkbox"/> Cross Categorical <input type="checkbox"/> ED <input type="checkbox"/> SLD <input type="checkbox"/> ID (MR) <input type="checkbox"/> OHI <input type="checkbox"/> OI <input type="checkbox"/> HI <input type="checkbox"/> VI <input type="checkbox"/> SLI <input type="checkbox"/> Severe/Profound <input type="checkbox"/> Early Childhood			<input type="checkbox"/> Add <input type="checkbox"/> Delete		
	<input type="checkbox"/> Cross Categorical <input type="checkbox"/> ED <input type="checkbox"/> SLD <input type="checkbox"/> ID (MR) <input type="checkbox"/> OHI <input type="checkbox"/> OI <input type="checkbox"/> HI <input type="checkbox"/> VI <input type="checkbox"/> SLI <input type="checkbox"/> Severe/Profound <input type="checkbox"/> Early Childhood			<input type="checkbox"/> Add <input type="checkbox"/> Delete		
	<input type="checkbox"/> Cross Categorical <input type="checkbox"/> ED <input type="checkbox"/> SLD <input type="checkbox"/> ID (MR) <input type="checkbox"/> OHI <input type="checkbox"/> OI <input type="checkbox"/> HI <input type="checkbox"/> VI <input type="checkbox"/> SLI <input type="checkbox"/> Severe/Profound <input type="checkbox"/> Early Childhood			<input type="checkbox"/> Add <input type="checkbox"/> Delete		
	<input type="checkbox"/> Cross Categorical <input type="checkbox"/> ED <input type="checkbox"/> SLD <input type="checkbox"/> ID (MR) <input type="checkbox"/> OHI <input type="checkbox"/> OI <input type="checkbox"/> HI <input type="checkbox"/> VI <input type="checkbox"/> SLI <input type="checkbox"/> Severe/Profound <input type="checkbox"/> Early Childhood			<input type="checkbox"/> Add <input type="checkbox"/> Delete		
	<input type="checkbox"/> Cross Categorical <input type="checkbox"/> ED <input type="checkbox"/> SLD <input type="checkbox"/> ID (MR) <input type="checkbox"/> OHI <input type="checkbox"/> OI <input type="checkbox"/> HI <input type="checkbox"/> VI <input type="checkbox"/> SLI <input type="checkbox"/> Severe/Profound <input type="checkbox"/> Early Childhood			<input type="checkbox"/> Add <input type="checkbox"/> Delete		
	<input type="checkbox"/> Cross Categorical <input type="checkbox"/> ED <input type="checkbox"/> SLD <input type="checkbox"/> ID (MR) <input type="checkbox"/> OHI <input type="checkbox"/> OI <input type="checkbox"/> HI <input type="checkbox"/> VI <input type="checkbox"/> SLI <input type="checkbox"/> Severe/Profound <input type="checkbox"/> Early Childhood			<input type="checkbox"/> Add <input type="checkbox"/> Delete		

Add additional pages, as needed.

**Staffing additions or deletions made throughout the year must be submitted on this form within 10 days of any change.**

E-mail the complete form to [Eric.Edge@azed.gov](mailto:Eric.Edge@azed.gov).

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## Application for 2014–2015 ED-P Program Approval

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**Directions:** Complete all sections by addressing ED-P criteria requirements in your narratives. Submit the application via e-mail to [Eric.Edge@azed.gov](mailto:Eric.Edge@azed.gov). Attach appropriate certifications to the e-mail or mail them under separate cover to:  
**Eric Edge, Arizona Department of Education, 1535 W. Jefferson, Bin 24, Phoenix, AZ 85007.** If you have any questions, call **(602) 364-4015** or e-mail your questions, as shown above.

**LEA Name:**

**School Year:**

**Student Characteristics:** Describe the characteristics IEP teams will consider in making recommendations for services in an ED-P program.

**Programmatic and Personnel Requirements (Academic/Therapeutic Programs):** Describe how the program will fit in with your continuum of service options; how these students will be separated from other students; what curriculum will be used; the make up, training, and qualifications of the staff; how and by whom the mental health component will be provided; and how and by whom case management will be provided.

**Dispensing of Medication:** Describe procedures and staff responsibilities.

**Outside Agency Involvement, as Appropriate:** Describe how other agencies will be involved, if this is applicable.

**Age Range:** What age range will the program serve?

**IEP Components:** Describe the process you will use to ensure that the required IEP components are included, and identify who will ensure the inclusion of exit criteria in the IEP. Outline the procedure for notifying School Finance of any setting change.

**Site(s) Locations:** List the physical address where the ED-P program(s) is/are located. Include the name, telephone number, and e-mail address of the contact person for the site.

## ED-P STATEMENT OF ASSURANCES

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The applicant assures that special education programs and services approved by the Arizona Department of Education shall be operated in accordance with all applicable state and federal statutes, regulations, and policies; the applicant further agrees to comply with all provisions of such requirements, regulations, and policies.

The requirements of the Individuals with Disabilities Education Act (IDEA) must be followed in providing a free appropriate public education for the special education students placed in your program.

The applicant further agrees as per A.R.S. §15-765 (D), Special Education in Rehabilitation, Corrective or Other State and County Supported Institutions, Facilities, or Homes:

1. To include only students with emotional disabilities in core content classes.
2. To include only students who have exhibited behaviors of such a duration and intensity that they exceed those behaviors of students in traditional self-contained settings.
3. To make available a program that is part of a continuum of services that are available to the local education agency (LEA).
4. To have no more than a four-year age span per classroom.
5. To provide a program that is housed in a separate classroom, in a separate building, or at a separate site in the LEA.
6. To provide a curriculum that is aligned to Arizona's College and Career Ready Standards (AZCCRS).
7. To have a maximum of 12 students with a teacher and a full-time paraprofessional, with a third staff member available for crisis intervention and behavior management.
8. To provide an ED-certified or cross-categorical-certified teacher with 20 hours of additional professional development in teaching students with emotional disabilities.
9. To provide paraprofessionals who have had intensive training in behavior strategies, non-aversive physical management, and cardiopulmonary resuscitation (CPR) and first aid.
10. To provide mental health services that are provided by mental health professionals who meet Medicare standards for reimbursement; for example:
  - a) Licensed independent social workers
  - b) Licensed marriage and family therapists
  - c) Licensed professional counselors
  - d) Licensed psychiatrists

- e) Licensed psychologists
  - f) School-based guidance counselors
  - g) School-based school psychologists
11. To identify the individual responsible for dispensing any medication.
12. To develop policies and procedures for the dispensing of medication.
13. To invite any outside agencies to participate when it is appropriate, such as:
- a) Division of Developmental Disabilities
  - b) Vocational Rehabilitation Services
  - c) Juvenile Court officials
  - d) Tribal Services representatives
14. To develop IEPs that have goals to address behaviors.
15. To develop functional behavioral assessments for the students.
16. To implement behavioral intervention plans for the students.
17. To develop exit criteria and transition plans to promote the students' return to the least restrictive environment.

The applicant recognizes and agrees that the approval status and financial assistance from public funds will be based on the representations and agreements made in this application. Failure to abide by the program criteria will result in the program's approval status being rescinded. These assurances are binding on the applicant, and the person whose signature appears below is authorized to sign these statements on behalf of the applicant.

By: \_\_\_\_\_  
Signature

Date:

Printed Name:

Title:



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# Appendix

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# INITIAL EDUCATION VOUCHER APPLICATION

Submit to: Arizona Department of Education, Exceptional Student Services, Vouchers Unit  
3100 N. West St., Suite 300 • Flagstaff, AZ 86004 • FAX (928) 526-5279 • E-mail: [VouchersUnit@azed.gov](mailto:VouchersUnit@azed.gov)

**SECTION 1 – The RTC is responsible for completing Section 1.**

STUDENT NAME:	DOB:
LAST SCHOOL ATTENDED:	GRADE:
PARENT NAME:	SAIS NUMBER:
PARENT ADDRESS:	PHONE:
FACILITY:	ENTRY DATE:
FACILITY ADDRESS:	FAX:
RTC VOUCHER CONTACT:	PHONE:
RTC EDUCATION CONTACT:	PHONE:
RTC EDUCATION CONTACT E-MAIL ADDRESS:	

**SECTION 2 – The RTC is responsible for completing Section 2.**

STATE PLACING AGENCY: click on SPA for drop-down list: AOC SANTA CRUZ JCC

**SECTION 3 – The home school district is responsible for completing Section 3.**

HOME SCHOOL DISTRICT: \_\_\_\_\_ PHONE: \_\_\_\_\_

HSD CONTACT: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

### EDUCATIONAL PLACEMENT AND FUNDING OPTIONS:

DISABILITY:

DATE OF CURRENT EVALUATION: \_\_\_\_\_ DATE OF CURRENT IEP: \_\_\_\_\_

☐ REQUEST FOR EXTENSION: In accordance with ARS §15-1183, the HSD is requesting an extension of voucher funding for the above-named student because:

Explanation for extension request:

\_\_\_\_\_/\_\_\_\_\_

Signature of Special Education Director                      Date

**Note:** Pursuant to ARS §15-1182, this voucher application can only be approved for a period of 60 calendar days. Prior to expiration of the 60 calendar days, the HSD must submit an HSD Education Voucher Application and required documents or an Extension of Education Voucher Application to the Arizona Department of Education/Exceptional Student Services/Vouchers Administration.

## EXTENSION OF EDUCATION VOUCHER APPLICATION

Submit to: Arizona Department of Education, Exceptional Student Services,

Attention: Vouchers Unit

3100 N. West St., Suite 300, Flagstaff, AZ 86004 • FAX (928) 526-5279 • E-mail: [VouchersUnit@azed.gov](mailto:VouchersUnit@azed.gov)

*This form must be completed by the home school district (HSD) when a student who is placed by a state placing agency (SPA) into a residential treatment center (RTC) for care, safety, or treatment reasons cannot be evaluated within 60 calendar days. Please complete all information below, submit one copy to ADE, and forward a copy to the residential treatment center (RTC).*

**Please Note: Only ONE 60-Day Extension Will Be Approved per Placement.**

HOME SCHOOL DISTRICT:

PHONE:

STUDENT NAME:

DOB:

RTC:

ENTRY DATE:

SPA:

SPA CONTACT:

PHONE:

School breaks—including summer or lack of personnel—are not acceptable justifications for extensions, and extensions for breaks will be denied. This may result in HSD fiscal liability for the time period involved.

In accordance with ARS §15-1183, the HSD is requesting an extension of voucher funding for the above-named student because: (Please check all that apply and provide a complete explanation for each.)

- ☐ The home school district has not yet obtained a surrogate parent. (Please attach documentation of your effort to obtain a surrogate parent and/or explain.)

Justification:

- ☐ The student was unavailable for testing, e.g., AWOL, hospitalized.

Justification:

- ☐ Other: Justification:

Date:

\_\_\_\_\_  
Signature of Special Education Director or Representative

Name of HSD Contact:

E-mail Address:

## HSD EDUCATION VOUCHER APPLICATION

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Submit to: Arizona Department of Education, Exceptional Student Services

Attention: Vouchers Unit

3100 N. West St., Suite 300 • Flagstaff, AZ 86004 • FAX (928) 526-5279 • E-mail: [VouchersUnit@azed.gov](mailto:VouchersUnit@azed.gov)

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- *The home school district (HSD) is responsible for ensuring that this form is completed for any student requiring placement in a residential treatment center (RTC).*
- *This application and required documentation must be submitted to the Arizona Department of Education (ADE)/Exceptional Student Services (ESS)/Voucher Administration within 60 calendar days of the student's entry into the RTC.*
- *Failure to submit this information or a request for extension within that time frame will result in the HSD assuming responsibility for the payment of educational costs through the date the voucher documentation is received by ESS-Voucher Administration.*

HOME SCHOOL DISTRICT:

PHONE:

STUDENT NAME:

DOB:

RESIDENTIAL FACILITY:

RESIDENTIAL CONTACT:

ENTRY DATE:

EDUCATIONAL PLACEMENT AND FUNDING OPTIONS (CHOOSE ONE):

☐ (NSE) (Non-Special Education) Student is not eligible for special education; student was placed in a residential facility for care, safety, or treatment.

Date of current evaluation:

☐ MET/Non-Eligibility/PWN sent to ADE

☐ (CSE) Student is eligible for special education, placed in a residential facility for care, safety, or treatment.

Date of current evaluation:

Date of current IEP:

Disability:

☐ MET/Eligibility/IEP/PWN sent to ADE

☐ (RSE) Student is eligible for special education and requires a residential facility for educational reasons.

Date of current evaluation:

Date of current IEP:

Disability:

☐ MET/Eligibility/IEP/PWN sent to ADE

I CERTIFY I HAVE: ☐ ATTACHED \*REQUIRED DOCUMENTS ☐ SENT COMPLETE PACKET COPY TO RTC.

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Signature of Special Education Director or Representative

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Date

\*Required documents: HSD Application, MET, Eligibility Statement, PWN, and IEP if needed.

## FY15 CONTINUING EDUCATION VOUCHER APPLICATION

Submit to: Arizona Department of Education, Exceptional Student Services, Vouchers Unit  
3100 N. West St., Suite 300 • Flagstaff, AZ 86004 • FAX (928) 526-5279 • E-mail: [VouchersUnit@azed.gov](mailto:VouchersUnit@azed.gov)

*The residential treatment center (RTC) is responsible for ensuring that this form is completed for any student whose placement is expected to continue into the 2014-15 school year. The RTC is also responsible for obtaining appropriate signatures from the home school district (HSD) before submitting the form to ADE/ESS/Vouchers unit.*

### **SECTION 1 – The RTC is responsible for completing Section 1.**

STUDENT NAME:	DOB:
LAST SCHOOL ATTENDED:	GRADE:
PARENT NAME:	SAIS NUMBER:
PARENT ADDRESS:	PHONE:
FACILITY:	ENTRY DATE:
FACILITY ADDRESS:	FAX:
RTC VOUCHER CONTACT:	PHONE:
RTC EDUCATION CONTACT:	PHONE:
EDUCATIONAL PLACEMENT AND FUNDING OPTIONS:	
DISABILITY:	
DATE OF CURRENT EVALUATION:	DATE OF CURRENT IEP:

### **SECTION 2 – The RTC is responsible for completing Section 2.**

STATE PLACING AGENCY: Click on SPA for drop-down list: Choose a SPA

**SPA Contact Name:** **Phone:**

### **SECTION 3 – The home school district is responsible for completing Section 3.**

HOME SCHOOL DISTRICT:	PHONE:
HSD CONTACT NAME:	
HSD CONTACT EMAIL ADDRESS:	

\_\_\_\_\_  
Signature of Special Education Director

\_\_\_\_\_  
Date

## ALTERNATE INITIAL EDUCATION VOUCHER APPLICATION

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Submit to: Arizona Department of Education, Exceptional Student Services, Vouchers Unit  
3100 N. West St., Suite 300 • Flagstaff, AZ 86004 • FAX (928) 526-5279 • E-mail: [VouchersUnit@azed.gov](mailto:VouchersUnit@azed.gov)

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- Voucher is for a short-term placement (less than 60 days).
- Application does not require completion of a home school district packet.
- If the student is currently receiving special education services, forward the IEP to the residential facility for implementation.

### **SECTION 1 – The RTC is responsible for completing Section 1.**

STUDENT NAME:	DOB:
LAST SCHOOL ATTENDED:	GRADE:
PARENT NAME:	SAIS NUMBER:
PARENT ADDRESS:	PHONE:
FACILITY:	ENTRY DATE:
FACILITY ADDRESS:	FAX:
RTC VOUCHER CONTACT:	PHONE:
RTC EDUCATION CONTACT:	PHONE:

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### **SECTION 2 – The RTC is responsible for completing Section 2.**

STATE PLACING AGENCY: click on SPA for drop-down list: AOC SANTA CRUZ JCC

<b>SPA Contact Name:</b>	<b>Phone:</b>
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### **SECTION 3 – The home school district is responsible for completing Section 3.**

HOME SCHOOL DISTRICT:	PHONE:
HSD CONTACT:	E-MAIL:
EDUCATIONAL PLACEMENT AND FUNDING OPTIONS:	
DISABILITY:	
DATE OF CURRENT EVALUATION:	DATE OF CURRENT IEP:

\_\_\_\_\_  
Signature of Special Education Director

\_\_\_\_\_  
Date

## FREQUENTLY ASKED QUESTIONS – VOUCHERS

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1. Parent Revoked Consent: How do I correctly answer the “Student Eligible for Special Education” section? The student was receiving special education services until the parents revoked their consent for services. Would the HSD check *yes* or *no* for “Student Eligible for Special Education” section?
  - a. Check *no* and include: the old MET, the document that revoked consent, and the prior written notice that was written when the parent revoked consent.
2. Can the review of existing data be done without parent consent?
  - a. Parental Consent for Initial Evaluation:
    - i. The public agency proposing to conduct an initial evaluation to determine if a child qualifies as a child with a disability under 34 CFR §300.8 must, after providing notice consistent with §§300.503 and 300.504, obtain informed consent, consistent with §300.9, from the parent of the child before conducting the evaluation.
    - ii. Parental consent for initial evaluation must not be construed as consent for initial provision of special education and related services.
    - iii. The public agency must make reasonable efforts to obtain the informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability.
3. If the parent cannot be located, do I need to get a surrogate parent?
  - a. For initial evaluations only, if the child is a ward of the State and is not residing with the child’s parents, the public agency is not required to obtain informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability if –
    - i. Despite reasonable efforts to do so, the public agency cannot discover the whereabouts of the parent of the child;
    - ii. The rights of the parents of the child have been terminated in accordance with State law; or
    - iii. The rights of the parent to make educational decisions have been subrogated by a judge in accordance with State law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.
4. Transfer to Another RTC: Why is the exit date one day before the actual exit date?
  - a. When a student exits from one RTC and enters another RTC on the same day, the exit date for transfer will be the day before the new entry date at the new facility.
5. Review of Existing Data: If a student EXITS the RTC after the Initial/Extension periods of enrollment but before an RED is started, is the home school district still responsible for further review or completing an HSD packet?
  - a. The law is very clear as to what documentation is required in order for ADE to approve and then pay the educational portion of a residential placement, and a PWN will not suffice. The HSD must still conduct a full review of existing data with the

- required IDEA team. If that team decides that it has enough data to determine whether the student is a student with a disability, then the team does not need to conduct a full psychological evaluation. If the team requests additional data, then the team must gather the additional data; if the student is identified as a student with a disability, then the team also needs to develop an IEP with an accompanying PWN. Minimally, the team must include the RED, with an eligibility statement, the required participants' signatures, and a PWN.
6. Promotion to High School: A student is placed in an RTC during the summer months after he was promoted to the ninth grade. Which school district is responsible for the HSD packet?
    - a. After receiving the promotion certificate, the new MS/HS is responsible. The elementary or middle school will need to e-mail/fax a copy of the certificate to ADE and the new HSD. Once the new HSD receives the certificate, the school can complete the HSD packet. **It is the responsibility of the elementary school to notify the middle or high school and forward all documents.**
  7. Who should be on the team for the review of existing data?
    - a. The determination as to whether a child suspected of having a specific learning disability is a child with a disability as defined in 34 CFR §300.8, must be made by the child's parents and a team of qualified professionals, which must include –
      - i. The child's regular teacher; or
      - ii. If the child does not have a regular teacher, a regular classroom teacher qualified to teach a child of his or her age; or
      - iii. For a child of less than school age, an individual qualified by the State to teach a child of his or her age; and
      - iv. At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher.
  8. When a school district makes multiple attempts to contact the RTC but does not receive a response, can the MET be written without the RTC input. (The residential treatment center has not returned phone calls or e-mails for us to complete the present levels, teacher information, or vision and hearing results or agree to a time to hold a MET meeting.)
    - a. A.R.S. §15-765 (E): When a state placing agency initially places a pupil in a private residential facility, the home school district must conduct an evaluation pursuant to section 15-766 or review the educational placement of a pupil who has previously been determined eligible for special education services. The school district shall notify the appropriate state placing agency when a child requires an evaluation for possible receipt of services provided by that agency or a residential special education placement. The school district and the state agency shall jointly evaluate the child, including consideration of relevant information from additional sources, including probation or parole officers, caseworkers, guardians ad litem, and court-appointed special advocates.
  9. Is the RTC representative a part of MET team? Should the representative write a section of an integrated report?



- a. Yes, the RTC representative is part of the team and needs to provide input into the evaluation as per A.R. S. §15-765 (see above).
  - b. An RTC representative can attend a conference in person or by phone.
- 10. The school district's concern is that the student's evaluation is due and the team needs to hold the MET meeting. Is the school district allowed to submit the paperwork without the RTC attending the MET?
  - a. Yes, document the requested meetings and if the student qualifies for special education, make sure the PWN states that the IEP will be implemented at the RTC. Use statements such as "The multidisciplinary evaluation team (MET), which includes the residential treatment center representative . . ." The school district is ultimately responsible for completing the MET report on time, so the school should do so with any information they have despite the RTC's delay in participation.
  - b. **If a school is having problems with an RTC's not participating in the evaluation process after repeated attempts to set up a meeting, contact the ADE Vouchers unit.**
- 11. Why do I have to do an evaluation?
  - a. A.R.S. §15-765 (G): When a state placing agency initially places a pupil in a private residential facility, the home school district must conduct an evaluation pursuant to §15-766 or review the educational placement of a pupil who has previously been determined eligible for special education services.
  - b. A.R.S. §15-1183 (A): A voucher may not be issued pursuant to this article and a residential special education placement may not be made in a private residential placement facility unless the requirements of section 15-765 (G) have been met.
  - c. If a state placing agency places a child in a private residential facility for care, safety, or treatment reasons, the state placing agency is responsible for requesting an initial residential education voucher and notifying the home school district of the placement. The home school district is responsible for completing screening or other identification procedures for determining if the child is a child with a disability as defined in section 15-761 and for reviewing the placement of a child with a disability to determine whether a residential special education placement is necessary.
- 12. Why do I have to pay if I do not complete the necessary paperwork, including the review of existing data?
  - a. A.R.S. §15-1183: If an extension is denied or a home district fails to complete the requirements for a continuing residential education voucher, the home school district is responsible for payment of educational costs until the requirements of subsection B of this section have been met.
- 13. A student was found ineligible for IDEA but eligible for a 504 plan. What is required?
  - a. Include the evaluation documents that found the student ineligible for special education but eligible for the 504 plan. Include a copy of the 504 plan, all PWNs involved in the process, and the eligibility determination statement.
  - b. Most schools do not do a formal review of data or eligibility determination for 504 plans. Although it is best practice, the same review is not required under section 504

as under IDEA. Sometimes the 504 plan is written after a child does not qualify for special education. So in many cases, the school will have done a RED and held a MET meeting. If the school was only preparing a 504 plan instead, they may not have done a review of existing data. But for vouchers, ADE needs documentation of what the team did and why the team decided upon the 504 plan. If it is a 504 plan, it will have a plan of accommodations and the RTC will need to follow that just like it were an IEP.

14. An 18-year-old student has obtained his GED. Does the HSD have educational obligations?
  - a. Students with a general educational development (GED) diploma but not a high school diploma may attend and be funded. A.R.S. §15-821 states, all schools shall admit children who are between the ages of six and twenty-one years who reside in the school district and who meet the requirements for enrollment in one of the grades or programs offered in the school. A school may refuse to admit a child who has graduated from a high school with a recognized diploma.” A GED is not considered a recognized high school diploma. If a student with a GED is 18 and wants to continue his/her education at the RTC, the student is eligible for funding.
15. A student’s IEP includes that he should be receiving speech services for 30 minutes per week, but the RTC does not offer speech services. What is the requirement for this?
  - a. If the treatment center is one that the student must attend, then look at how the HSD could provide those services themselves (if the RTC is close enough or if there is a neighboring district or coop that could be used).
  - b. A.R.S. §15-765 Special education in rehabilitation, corrective, or other state and county supported institutions, facilities, or homes (A): For the purposes of this section and section 15-764, children with disabilities who are being provided with special education in rehabilitation, corrective, or other state and county-supported institutions or facilities are the responsibility of that institution or facility, including children with disabilities who are not enrolled in a residential program and who are being furnished with daily transportation. Special education programs at the institution or facility shall conform to the conditions and standards prescribed by the director of the division of special education.
  - c. A.R.S. §15-765 (H) If a residential special education placement is required by the child’s individualized education program, the educational component of the residential facility shall be one that is approved by the department of education for the specific special education services required.
  - d. A.R.S. §15-765 (J) Following and in accordance with the consensus decision of the individualized education program team as prescribed in section 15-766, a residential special education placement shall be made by the school district and the appropriate state agency. The individualized education program team shall determine whether a residential special education placement is necessary. The state placing agency shall consider the recommendations of the individualized education program team in selecting the specific residential facility.
16. Who is responsible for monitoring the educational services while a student is in a residential facility?

- a. A.R.S. §15-1183. Placement; voucher application requirements (B): Responsibility for monitoring the educational services during the time a child is placed in the residential facility and for planning for transition from the private residential facility to a public school remains with the home school district.
  - b. A.R.S. §15-1185 School district responsibility; integration into a school (A): For a child who is placed in a private residential facility pursuant to this article, the home school district is responsible for reviewing the child's educational progress and planning for integrating the child into a public school when it is educationally appropriate. (B): The private residential facility and the state placing agency shall work with the home school district for purposes of integrating the child into a public school when it is educationally appropriate.
17. Who is responsible for the IEP while the student is in the RTC?
- a. The home school district (HSD) shall regularly monitor the progress of students, ensure the annual review and revision of IEPs, and complete three-year reevaluations as applicable.
  - b. Voucher approval is for one school year only. Students remaining in a residential treatment facility (RTC) from the end of one school year to the beginning of the next year require new voucher applications. Prior to the beginning of the new school year, the RTC shall submit an *Application for Continuing Voucher* funding, signed by both the SPA and the HSD. For a student who is eligible for special education services, a current IEP shall accompany the continuing application if the IEP has been reviewed or revised after the original voucher was approved.

## FREQUENTLY ASKED QUESTIONS – APPROVED PRIVATE DAY SCHOOLS

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1. Do we have to reapply every year to be on the approved list?
  - a. Yes. EVERY approved private special education facility must complete and submit an annual application, whether they have previously been approved or they are a new facility.
2. Can public education agencies place ANY student in our facility? (as in alternative placements, non-special education students, long-/short-term suspensions, etc.)
  - a. Only if the student(s) in question are in a separate program, meaning that they receive instruction in a separate classroom from the students placed in the program because their special education needs could not be met in their home school districts.
3. Part of the application process calls for “submission of school calendar.” Is this the school calendar we give to the students, parents, and home school districts?
  - a. No. This is the calendar you have submitted and successfully uploaded to the School Finance website. In order to submit the calendar, you must have a CTDS number. If you are seeking approval for the first time, you will not have a CTDS number yet, and you will not be able to complete this step. After all of the required documentation has been submitted and your application has been approved, a CTDS number will be issued to you.
4. Do we have to administer state assessments?
  - a. Yes. According to the Statement of Assurances you signed as part of the application process, you have taken on the responsibility for administering those assessments.
5. Can we get an approval before we have an actual physical location?
  - a. No. Having an actual physical location is part of the approval process. The physical site has to have passed a fire marshal’s inspection and an inspection by ADE.
6. Is there a specific curriculum we must use?
  - a. No. As long as the curriculum in question meets Arizona’s College and Career Ready Standards, the material is entirely up to the private school.
7. What happens if we are taken off the approved list?
  - a. Any student enrolled by a public education agency must be withdrawn immediately. State statute explicitly states that public education agencies can place students only in those facilities that have been approved by the Department of Education.
8. Are we required to have certified staff and administrators?
  - a. Yes. State statute explicitly states that all special education teachers and administrators must have a current Arizona certification in the required area(s).
9. Do we get ADE/ESS approval prior to determining what services will be provided, and how much we can charge for those services?
  - a. Any contracts for services are strictly between the public education agencies and the approved private day school.